

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application : MANFRED SCHAWALLER, ET AL.
Application No. :
Filed : Herewith
For : METHOD FOR THE DETERMINATION OF SUBSTANCES USING
THE EVANESCENCE FIELD METHOD
Examiner :
Attorney's Docket : MBP-009XX

Group Art Unit:

I hereby certify that this correspondence is being deposited with the
United States Postal Service as first class mail in an envelope
addressed to: Commissioner for Patents, Washington, D.C. 20231 on
_____.

By: _____
Charles L. Gagnebin III
Registration No. 25,467
Attorney for Applicant(s)

INFORMATION DISCLOSURE STATEMENT

Commissioner for Patents
Washington, D.C. 20231

Sir:

It is desired to cite for the record in this application the
enclosed references listed on the attached copy of PTO Form #1449. The
paragraph(s) marked below are applicable to this Information Disclosure
Statement.

- [X] (1) Pursuant to 37 C.F.R. § 1.97(b)(1) and (2), the attached
Information Disclosure Statement is being filed within three
months of the filing date of the above identified national
application or within three months of the date of entry of the
national stage as set forth in 37 C.F.R. § 1.491 of the above
identified application. Accordingly, applicant(s) believes that
no fee or statement under 37 C.F.R. § 1.97(e) is required.

- [] (2) Pursuant to 37 C.F.R. § 1.97(b)(3), applicant(s) believes the attached Information Disclosure Statement is being filed before the mailing date of a first Office action on the merits. Accordingly, applicant(s) believes that no fee or statement under 37 C.F.R. § 1.97(e) is required.
- [] (3) Pursuant to 37 C.F.R. § 1.97(b)(4), applicant(s) believes the attached Information Disclosure Statement is being filed before the mailing date of a first Office action after the filing of a request for continued examination under § 1.114. Accordingly, applicant(s) believes that no fee or statement under 37 C.F.R. § 1.97(e) is required.
- [] (4) Pursuant to 37 C.F.R. § 1.97(c), the attached Information Disclosure Statement is being filed before the mailing date of a final action or a notice of allowance and is accompanied by:
- [] a statement under 37 CFR § 1.97(e); or
- [] the fee set forth in § 1.17(p).

PETITION UNDER 37 CFR § 1.97(d)

- [] (5) Pursuant to 37 CFR § 1.97(d), applicant(s) hereby petitions the Commissioner to consider the attached Information Disclosure Statement which is being filed on or before payment of the issue fee. This petition is accompanied by a statement under 37 C.F.R. § 1.97(e) and the petition fee set forth in 37 C.F.R. § 1.17(p).

STATEMENT UNDER 37 C.F.R. § 1.97(e)(1)

- [] (6) The undersigned hereby states that each item of information contained in the attached Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Information Disclosure Statement.

STATEMENT UNDER 37 C.F.R. § 1.97(e)(2)

- [] (7) The undersigned hereby states that no item of information contained in the attached Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application and, to the knowledge of the undersigned after making reasonable inquiry, no item of information contained in the attached Information Disclosure

Attorney Docket No. MBP-009XX
Filed: Herewith
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Statement was known to any individual designated in 37 C.F.R. § 1.56(c) more than three months prior to the filing of this Information Disclosure Statement.

The filing of this Information Disclosure Statement is not a representation by the undersigned as to personal knowledge of the contents of every word or phrase of the material enclosed or that reliance on other suitably trained professionals has not been made.

If a search report of a searching agency is enclosed identifying the nature of the relevance of each document, such a designation is deemed to satisfy 37 C.F.R. § 1.98(a)(3) even if in a foreign language because the codes are the same in all languages. However, applicant(s) does not necessarily adopt the position reflected by that report.

These references were cited in an International Search Report (copy enclosed) which issued in International Application No. PCT/EP00/08116 filed August 18, 2000.

The Commissioner is hereby authorized to charge payment of any additional fees associated with this communication or credit any overpayment to Deposit Account No. 23-0804. Triplicate copies of this letter are enclosed.

Respectfully submitted,

MANFRED SCHAWALLER, ET AL.

By: 

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CLG/mc/267080-1
Enclosure

Form PTO-1449 (REV. 07/01) U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE INFORMATION DISCLOSURE CITATION <i>(Use several sheets if necessary)</i>	ATTY. DOCKET NO. MBP-009XX	APPLICATION NO.
APPLICANT: MANFRED SCHAWALLER, ET AL.		
FILING DATE Herewith		GROUP

U.S. PATENT DOCUMENTS							
EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE*
		* 4,451,434	5/29/84	Hart			
		* 5,300,423	4/5/94	Zoha, et al.			

FOREIGN PATENT DOCUMENTS								
		DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION	
		* WO 96/09532 A	3/28/96	PCT			YES	NO
							X	

OTHER DOCUMENTS (including Author, Title, Date, Pertinent Pages, etc.)		

EXAMINER	DATE CONSIDERED
*EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.	

CLG/mc/267087-1

*** REFERENCES FURNISHED BY INTERNATIONAL BUREAU**